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Presbyterial Government

As now Established and practised in the
SCOTLAND. - CHURCH of

SCOTLAND *App*

Methodically Described,

Specially of the CHURCH's Intrinsic Power, As also
of the Power of the Civil, in and about Sacred Things

Gathered out of the Confessions of Faith, and other publick Records of
that CHURCH.

By a Presbyter of the CHURCH of SCOTLAND:

James Clark
Ezra 7. 23: Whatsoever is Commanded by the GOD of Heaven,
Let it be diligently done for the House of the GOD of Heaven.

Seneca Oedip: 110. Quicquid excessit modum pendet instabili loco.

EDINBURGH, Re-Printed for James Wardlaw and are to be Sold
at his Shop the first Stair below the Post Office, a little be-
low the Cross, M DCC I.

To the Reader,

THE *W*isest of Men says Eccles: 3: 1. 7. 8. 11. *To ev'ry thing there is a Season, a Time to keep silence, and a Time to speak, a Time of War and a Time of Peace, and every Thing is Beautifull in his Time.* As for the *Intrinsick Power of the Church*, and suppose there is no knowing and sound Presbyterians, who are not all of one Sentiment and Harmoniously agreed thereanent, but how inexpedient, unseasonable, and unnecessary it may be to agitate or bring in debate that matter at this time; It is to be expected that all Considering *W*isemen do see and are Convinced; especially, seeing there is none calling in Question or impugning the Churches *Intrinsick Power*, and seeing the Church doth Peaceably and Legally enjoy the free external Exercise of all Gospel Ordinances, with the Countenance and allowance of the Civil Magistrate, and also seeing the 14 Act: Parl: 1. K. 6. 1592. Recognosed and Ratified by the Current Parliament, is so plain and full in Declaring the Churches Right.

Hexastichon: Votum.

Contra vim Satanæ; rabidos Mundique maligni

Insultus; Papæ Lethiferaeque Strophas.

Intemerata fiet, stabilisque Ecclesia Christi,

Floreat ac pœnitus, Lumine, Pace, Fide.

Fixa Basis, quoque Petra tenax, est Christus, inæva,

Non quatiet Solymam, visve, furorve Stygis.



PRESBYTERIAL Government Described:

IT is neither agreeable to the Authors Disposition, nor his design to enter the Lists of Disputation, after a Polemical way, in handling this head of Church Government for it were but *Cramben recoquere*, seeing little can be said, *pro* or *con*, on either side, but what long ago, hath been proponed, impugned, discussed, and improven, by the Learned in this Contraverſie; but the only Proposal of this Synopsis and Description, is modestly and Candidly, to offer ſuch a ſhort Scheme or plain Portraiture of Presbyterial Government, as that it may from the Principles and Practice of it (as professed and practised in the Church of Scotland) appear perspicuously to be comely and approveable, and very capable to promote and preserve, Unity, Peace, and purity in the Church; whatever Litigious, Partial, and Calumnious Caviliers may maliciously misrepresent, or suggest in the contrar.

The main difference in this point lyes not so much anent the thing in general, whether there should be *Government in the Church*, all sides accord that this is necessary and clearly enough determined in the Scriptures: But when they come to compare *Notes and Notions* about the particular *Species and Form of Government*, here each Competitor partie contends *tanquam pro aris & focis*, that, that *Specifick Model* only which they severally conceive is according to the word of GOD, should be applauded & universally acquiesced in.

In prosecution of what is proposed take the *Complexion and Constitution of Presbyterial Government*, in these ensuing *Theses or Articles* gathered from their own *Authentick Records*.

1. Article. GOD hath a Church in the World *Militant* amidst many dangers and difficulties which is principally under his own Inspection, Providence and protection and by His Revealed Will, is committed to the care *Oeconomie* and defence of *Civil Magistrates* and *Ecclesiastick Ministers*, who conjunctly and severally in their respective

pective different *Spheres*, are to fullfill their several Commissions, in the improvement and use of their several Talents of power, Authority, &c. For his Glory, and the Good of his Espoused Church, as they shall be answerable to Him in the day of Accounts. 2 B. *disc*: p: 72, 73. *Assem*: *Conf*: C: 23.

2. As no Society can subsist without *Government*, *Laws* and *Police*, and consequently neither without persons regularly vested with Authority and Power, to make the same effectual for the Good and Emolument of the Community; So the Infinitely Wise and Good GOD, hath copiously provided all things of the like nature requisite for the pious and peaceable *Communion of Saints*, whose *Laws* and *Constitutions* being duly observed, the Church of GOD may be a Comely, pure and orderly Societie, *State Politicians* are for *Laws* and *Government*, that the Common Well and publick Peace may be promoted and preserved; *Military Men* are for their *Martial Tactics* and severe Discipline in their Hosts and Armies: Yea every *Incorporation*, be it of *Merchants* or *Mechanicks*, finds a necessity of Rule and Order, and is there not a paritie of Reason, if not far more, why there should be Good Government and Discipline in the Church, which is the *City of GOD*, who is not a GOD of Confusion, but of Order, and hath expressly enjoined that all things be done decently and in order, *Genev*: *Form of Disc*:

3 The Sacred *Laws* and *Canons* which are to be the Supream Rule, Standard and Touchstone of Ecclesiastick Acts and Decrees, are contained in the *Scriptures*, from whence no sort of Church Courts or Officers are to Recede *ne vellatum unguem* in their Constitutions or Determinations, hence what ever bold Adventures any Persons or Parties may make, either in the Creation of New Officers, Ordinances or Canons in the Church not agreeable to, and warranted by the Divine *Scriptures*, they are *ipso facto* to be Reputed *void and null*, and to be abandoned the Church's Acceptation or Approbation, 2 B. *disc*: 72. 74. K. J. *Conf*: Act 21. *Aff*: *Conf*: C. 1. Art: 6. 10.

s. 4. The Mediator Christ is the Sole, Head and Monarch of the Church, and to him doth this peculiar Royal Prerogative appertain, for He Redeemed her with His Blood, and He alone can Actuate and Inspire the true Church Catholick into vital Operations, by His Gracious Supernatural Influences, as being that Mystick Body of Spiritually United Members, whereof he is the High and Holy Head, and therefore all Power is given to Him in Heaven and Earth [we speak not now of His Essential Kingship or Regencie, which belongeth to him as GOD Aequal and Coessential with the Father, but of His Mediatorial Sovereignty and Supremacie] being Chosen and Delegated by the Father, as his Plenipotentiary, to apply and employ his Alfulness of Power, for the use and behoof of the Church: But under Christ there is no vicarious, Subordinate Head of the Church whether in the person of an Ecclesiastick, or Civil Ruler, the which is monstrous for to Imagine, as mischievous to admit, neither, ought any in whatever Station or Quality, to Usurpe or assume, a Nomothetick or Legislative power of Framing Laws or Canons, to be Imposed upon Christs Spiritual Subjects, Explain and Execute his Authentick Royal Laws and Statutes, his Authorized officers may and must, According to the orders he hath prescribed them, but it is *cum periculo Capitis*, as being a *Capital Crime*, or Spiritual *Lese-Majesty*, if any proceed beyond his Limits, or their Commission. 2. B. disc. 72. K. J. 1. Confess. Art. 17. Act Aß 1647.

s. 5. From this Fountain of all power, is derived unto Church Officers, a delegated Ministerial Power and Authority, in the vertue whereof, they may and ought to Exercise their Respective functions, as GOD doth call and post them in his providence: hence the Solemn Charges, Commands, Censures, Sentences, &c. which they Issue forth, Execute and apply, are always and only in the name and Authority of this their Sovereigne Lord and Master, for not only the *potestas*, Right or Authority, for Intermeddling *ex officio* in sacred things, but also the *potentia*,

potentia, or abilities, Qualifying them for their Office, comes from his Favour and Fulness, as also doth the powerfull Blessing that maketh their Ministerial Performances effectual and Operative. *Act Aff: 1647.*

6. As the *Roman Catholick* pretension of a *visible vicarious Monarch*, is, Zealously to be abjured, neither can the *Morellian Democracy* be received, which cannot well avoid *Anarchie* and confusion, where all are promiscuously the *Rulers and the Ruled*: therefore these two extreame being both quarrelable, *Presbyterial Aristocracie*, headed by the Mediator [the only *Monarch* of the Church, as said is,] seems to be that well *Tempered mode of Government*, most favoured by the Scriptures, and if Moderately and wisely managed by the Rulers of it, very probably may be entertained with more Universal favour among men, *Act Aff: p: 107.*

7. That Power which the *Mediator* hath dispenced unto Gospel Ministers, is by his Will and Wisdom shewed in such a *Just paritie*, as that they are all made *Peers in Power and Authority*, none being *Superior* in Order, Degree, or Jurisdiction to another, but all subject and accountable to this Indisputable *Arch Pastor*, and *Bishop of Souls*, whose *Stewards* Servants and Ministers they are having and holding their *Commission* alone from him: Whence all *Despotick*, or *Lordly Magisterial Power* among Gospel Ministers, is utterly to be avoided and abandoned, as being not by *Divine disposition*, but *Human composition*. *Act Aff: Dimd. 1580. 2: B: Disc: 72. 74: Act Aff: Deo: 8. 1638.*

8. The *Ordinarie Office-bearers* in the Church, which GOD hath appointed to continue to the end of the World [extraordinarie now ceasing] are *Doctors, Presbyters, and Deacons*, *Doctors* are commonly ranked with the *Preaching Elders*, Teaching, Preaching and Ruling pertaining to them both as, they are qualified so to labour, *Doctors* being likewise useful in Schools and Universities, for training up Students of *Theologie*. As for *Presbyters* or *Elders*, they are either such as labour in the word and Doctrine, and also Rule, whom they

they call promiscuously, *Pastors, Ministers, or Bishops*; Or such as only Rule, being Members Constituent of Ecclesiastick Judicatories, concurring *Authoritatively* with Ministers in matters of Rule and Discipline: To these they appropriate the name of *Ruling Elders*; As for *Deacons* they have no Authority in Courts but in Courts they have, being concerned *virtually* in Church Collections and provisions for the poor, and the like. *Genev. form: j: B. Disc. 55. 2. B. Disc: 74: 77. Ass: Direc: 3. Sec. Act: Aff: 32.*

9. The Title of *Bishop* mentioned in the Scripture, it is *Identical*, and of the same latitude and import with *Presbyter* or *Pastor*, both as to the nature of the Office designed by these different Synonymous Appellations, and as to the Pastoral work, incumbent on those who are vested with the Office. *2. B. Disc: 76, 185, Act. Aff: 1638. 32.*

10. The Intermediate Ordinary way of Communicating and Participating the Pastoral Power, and the exercise of it, is by the Election of the People either Represented in the *Elder ship* [who usually are their own choice] for eviting the confusion of the Multitude, Or by every individual Person, who give some Signe of their Consent to the Election [of A. B.] [having free access to dissent, if they produce any Relevant Reasons, or weighty Objections, whereof the *Presbytrie* is Judge competent and Ordinarie] which is the thing implied by *stretching out, or holding up the hand, as a sign of assent*; And chiefly by the *Imposition of the hands of the Presbytrie*, with Prayers and Fastings, solemnly setting a part, and *Ordaining* the man [chosen, called, tryed, and found fit in the usual manner of procedure in this Case] to the Work of the Ministry, in general, as GOD shall clearly call him to imploy his Talents, and in particular to the Definite Pastoral Charge of such a certain Flock, whereunto he is orderly called and admitted, which Rite and Action is called *ordination*. *Genev. form. 2. B. Disc: 75. 79. 81. Ass: Dir: 3. 4. Sec.*

11. The Minister being thus settled, he must reside and labour

bour among his people for their Salvation and Edification by all Gospel means, and he cannot at his own *Arbitriment*, relinquish his flock, or lay aside his *Pastoral* charge, but is to be subject to the *presbytrie*, and other *Superior Courts*, to be disposed of as they find cause and convenient, neither can any others directly and *Authoritatively* exautorate or deprive him of his pastoral power, but they who have the power to collate and ordain, who for clear and *Onerous causes*, may *Suspend* for a certain time, or *depose* for ever; But as to what extent or influence, a sentence of *Deprivation* by the Authority of the *Civil Magistrate* may have [*per concomitantiam*] we will not meddle to define. *Act: Ass: 1638. 43.*

12. This *Pastoral Power* is exercised and employed, either in the administration of the *word and Sacraments*, and other pendicles of the *Didactick* part of their Work such as Catechizing, visiting the Sick, &c wherein Ministers are to be instant, faithful and diligent, or in the exercise of *Discipline*, which they are to manage with discretion, prudence and Righteousness, both for the increase of Knowledge and Piety, and for the curbing of vice, and reforming the flagitious. *Ass: Dir: 3. 4. 2. B: Dis: 76.*

13. As to the execution of *Discipline* and the *Didactick* part of their Work, the several kinds of Courts, *Supream and Subordinate*, in which preaching and Ruling *Elders* are to govern, they are either *parochial Sessions*, *Presbyteries*, provincial *Synods*, or *National Assemblies*, and [if it could be conveniently obtained] an *Oecumenick or General Council*. A *Parochial Session*, is the ordained *Minister* of the place, together with the *Ruling Elders*, and if the Minister have a *Colleague*, they moderate in their Session *per vices*, the *Moderator* having no negative voice, as neither hath the *Moderators* of any other of their *Judicatories*; a *Classical Presbytrie* is made up of the *parishes* of a lesser precinct than a *Province*, and both unto a *Presbytrie*, and a provincial *Synod* (made up of several

several *Presbyteries*) each Minister within the respective bounds cometh with one *Ruling Elder* with him, whom their several *Sessions* choose and think most fit. A *National Assembly*, is only made up of chosen *Commissionated delegats*. To a *National Synod* there comes two or three Ministers with one *Ruling Elder* from each *Presbytry* through the Nation, and the number of *Delegates* from every *Presbytrie* is more or less proportionably to the number and *quota of parishes* in the Respective *Presbyteries*: Also there may be sent *Delegates* and *Commissioners* from *Universities*, and *Burghs Royal*, providing they be ordained *Ruling Elders*. Act: Aff: 1570. 2. B: Dis: 70. Aff: Dir: 14. Eccl. Aff: Decr. 17. 1638. Act: Aff: Jul: 18. 1648. Act: Aff: 1694. ff:

14. The Orderly way of bringing *Ecclesiastick causes and cases* under the Cognizance of the Respective [Superior] *Judicatories* is either by *Bill*, by *reference* or *appeal*: For the more *methodical* tabling thereof [specially in the *General Assembly*] there use to be *Committees* appointed to ripen and prepare matters for hearing in full *Assemblie*: *appeals* ascend *Gradatim* from the lesser *subordinate Courts* [where the cause was first *Tabled*] to the *Superior* till they finally sist in the *Solemn sentence* of a *National Assembly*, this being *ultimus conatus*, & *res ibi Judicata*, not being *ulterius Judicanda* [for there is no probability of an *Oecumenick Council*] otherwise there would be endless remeedyless work; They admit not *processes* to enter *per saltum*, or to come in at the *broad side*, till first they have been *tabled*, *tryed*, or *cognosced* upon before the lesser *Judicatories*. Act: Aff: Aug: 30. 1639. Act: 1 ff: 1643: ff: 2. Ibid: ff: 10. act: aff: 1648. ff: 30.

15 The *decisive sentences* of the foresaid Respective *Courts*, are to be received, and acquiesced in, as proceeding from an *Authority ordained by GOD*, and therefore are *Obligatorie* either to yeild *active obedience*, unto them, Or *submission to censure* in case of *disobedience*; And affairs are to be carried on in such a prudent, orderly and *Righteous way*, [agreeable to the word of GOD and

the Laudable constitutions of the Church] as there may be no just Ground to reclaim, and the Reason why *Inferior Judicatories* are concerned to do so, is, because if the parties, against whom the sentence strikes deeme themselves manifestly injured, or that there hath been any gross irregularity in the procedure of the Court, they may be *appealed* from to a *superior judicatory* for remeid and Redress and so are lyable to be *Censured* for their Mis-administration, if the *appellant* make it appear to have been so, but if the causes or reasons of *Appeal* be found frivolous and weak, then the *appellant* is still under the tye of the *for sentence*, for, and from which the *appeal* was made, and moreover is publickly *Censurable* for suspecting and impeaching the Justice of a *Church judicatory*. Act: Ass: P: 108.

16 *Sessions and Presbyteries* meet more frequently as their Affairs Require, *Synods* Ordinarily twice in the year, and the *General Assembly* once a year, and oftner *pro re nata*, if necessary and weighty exigencies call for it, and if time allow not to overtake all the business comes before them by an ancient continued Custome and practise, They use to appoint a *Committee* of the *Assemblee*, either for publick emergencies that may Concern the Church, for visitation of Churches, &c. Or for expeding in the intarvail till the next *Annual* meeting, what they had not discussed, during the *Sessions* of the *Assemblee*; and this *Committee* they Circumscribed and Limit with *instructions* and appoint *ad hunc effectum*, the particular affairs which this Commission of the *General Assembly* is to medle with, being specified and ingrossed in their *instructions* and *commissions*, and in all their actings they are counrable to, and *Censurable* by the next *General Assembly*. *Genev: Firm: 2. B: Disc: 79, Act, Ass, 1638, ff 26 Act: 1642 ff. 8, Act: Ass, 1690, ff. 26.*

17. In all their *Judicatories* they have a *Moderator*, who is chosen for longer or shorter time, as they see convenient, but they are against a constant *Superintendent* or *Moderator*, least it have

have a bad tendencie, and produce ill Effects: This protemporal Moderator hath no *hyperachen* or peculiar power, paramount to any of the rest of his Brethren, but only *eutaxias ergo*, i. E. for good orders sake, & to evite confusion, during his service in this post, he proceeds in their arguings and ratiocinations, requires the sentiments of the several Members, summs up what seems to be the Judgement of the Pluralitie, and if it be thought fit to bring the matter in agitation in a Vote, he pronounces the mind of the *Major part*, which determines the thing in question, but gives no vote himself, except there be a just equality of Votes of the rest, then [*non potestatis vel Jurisdictionis; sed necessitatis ergo*] he gives his *suffrage* also, the Moderator likewise in the Intervall of Ordinarie, or appointed meetings if need be intimates a meeting *pro re nata*, this comely order they keep, where all may have access to moderate interchangably, and none to envie or domineer over another, in a *Diotrephesian* way. 2 B. dis. 79. Act. Ass. 1638. ff. 24: Als. dir. p. 6.

18. The Kingdom of Christ being *Spiritual*, and not of this *World* his Subjects, Courts, Laws, Stewards or Officers [to whom he hath committed the *Keyes of the Kingdom*] are so likewise, therefore it is only *Ecclesiastick Causes*, which they *directly* and *properly* cognosce upon, they meddle not with *Civil or secular Affairs*, as being *alterius fori*, and so extraneous and *Excentrical* to them; except they be required by the *Magistrate*, to give their Advice and opinion, in matters wherein the *Church and Conscience* may be incidentally and *cata ti* concerned, hence their grand care and business is to fence against *Heresies, Errors, and Schisms*, and such *heretodox dogmes*, or tenets, as are contrar to sound Doctrine and Godliness, *ne quid detrimenti capiat Ecclesia*, they also as *Censores morum*, animadvert that no Scandalous or Notorious vice and impietie pass without a due check and *censure*, according to the merit of Offences occurrent, so that matters of Faith and Godliness of Conscience and Conversation, are the proper and formal objects
of

of their disquisition and Determinations, 2. B. Disc: 79, Aß: Dir: 15, &c. Aß: Conf: c. 31. Art. 5. A&A. Aß: 1638, ss: 25.

19. There *Epitimiae* or *Censures* are also *Spiritual*, and they proceed from *Lesser reprooves* [even as the Offender deserves] ay till they come to the Tremenduous censure of *Excommunication* which is seldome inflicted and that not till after Leasurely deliberation and frequent dealing, to bring the obdured *delinquent* to sensible *Repentance*, and if al gentle and discreet means are contemned, then with a great deal of Solemnity, as being *Summum futuri Judicij prejuicium*, they proceed to this *Final* and whiles *Fatal sentence*: they also deal with censured *Delinquents* to induce and prepare them to serious *Repentance*, that upon the apparent evidences therco^t, they may be absolved, and received again into *Church Communion*; But if such contumacious *miscreants* will be obstinately wicked to their own perdition, they grieve at *Satans* better success then the *Churches*, and leave them to the last *Judgement* of *GOD* *Genev. form of Excom: and absol: Aß: Conf: C: 30.*

20. They are not fond of *Significan mystick Ceremonies* in the worship and service of *GOD* but rather follow and *Symbolize* that comely *Gospel simplicity* which *Christ* and his *Apostles* used, that in the *Church of Rome* hath been sadly marred with the woorthy fairdings and *Gaudrie* of humane Devices, Additions and Traditions, rather borrowed from the old *Pagan Pagantrie*, than the *Sacred page*: But though they Nauseat such relicks and pieces of *Papstrie*, yet what *Rites* and *Ceremonies* are decent and convenient, either for in the Nature or Adjuncts of the Religious Things or Actions they are exercised about, they are neither so stony nor foolish as to refuse to use them, *K. J. Conf: Art: 21. Act. Aß: 1638 ss: 7: Aß: Conf: C: 21. Art. 1.*

21. Neither are they for stated *anniversarie Feasts or Fasts*, which are sadly prophaned, and abused among the *Romanists*, and even some Protestant Churches, for at least the *Superstitious Unthinking Vulgar* make little other use of them, than for Rioting and Raveling, Sporting and Gamming, and other such dissolute Practices, highly unbecoming dayes, that pass under the Character and Opinion of Holy-days: Yet when *Emergencies*, and dispensations of Providence Occur, that call for publick *Humiliation and Fasting*, or *Solemn Thanksgiving*, they think it their duty to consecrate some part of their time, for *Fasts and Thanksgivings*, devoutly to deprecate *GOD's* imminent Wrath, and to plead the *Aversion of Impendent Judgements*, due to them for their Sins, or to praise *GOD* for *Benefits* receiv'd, and to beg further Favours, These being such peices of *Religious Work*, which *God* both by his Word and Providence sometimes requires, *Genev: Treat: of Fast: Aß: Aß: 1675. ss: 21.*

§. 22. The Church by the Royal Grant and Gift of the *Mediator Christ*, hath an *Intrinsic Power and Authority*, Specifically and Essentially distinct from, and not formallie or necessarily dependent upon the *Magistratical Civil Authority*, being *Coordinate* with it, not *Subordinae*

Subordinate to it (*in Spiritualibus*) in the vertue of which Intrinsic Power, though there were no *Magistrate*, *Christian* or *Infidel*, whether he be a Friend or Enemy to the Church yet she may by her instituted Office Bearers and Judicatories, Act and do every thing needfull and Requisite, (according to *Christs Institutions*) for the procurement and Preservation of Peace and Unity among her Members, and for purity in Doctrine, Discipline and Government, and also for the Orderly and profitable Administration of all the Ordinances the Lord; this peculiar kind of power properly and directly respects *the Ecclesia*, whereof the Civil *Magistrate quattalis*, hath no share, he can neither ordain Ministers, Preach the Word, dispence the Seals, usurp the Keys of Discipline, neither can he delegate to others to perform their or the like Spiritual Actions, for these are Functions and Actions remote and aliene from his Province, Sphere, and Jurisdiction, 2. B. Disc: 73. Aff: Conf. L. 30. Aff: Aff: 1647.

§. 23. Yer as to the *Taexo Ecclesia*, what Concerns the External Government and Power of the Church, the Civil *Magistrate* hath no small Power and Concern, as being GOD's Ordinance, *custos utriusque tabulae*, and a Nursing Father to the Church, and thereupon concerned *ex officio* to Patronize and defend her, in all her Just Rights and Priviledges and against Persecutions and Innovations, against fowl *Hereticks*, and their Propagation Erroneous Tenets, against Turbulent *Shismaticks*, and the *Contumaciouslie Scandalous*, that so *Unitie*, *Peace*, and *Pietie* may be preserved, and to Reform Corruptions in manner to see to the Honest and Competent Provision of Ministers; As also, when occasion requires to Convocate and Indict *National Assemblies*, as to Time place and other External Circumstances, these being Political in the Nature of them, for though the Original *Prima Power*, whereby *Ecclesiastick Assemblies* Act and move, be derived from, and depend upon *Christs Commission* as said is, yet as to the Publick Peaceable, and Legal Exercise of this *Extrinsic Right and Power*, they owe the Acceptance of it to the *Supream Magistrates* permission and Allowance, whereof the known Acts of Parliament Relative hereto are a manifest Declaration and Proof; And further the *Magistrates* is to add his Civil Sanction to the Churches Acts and Decrees.

Hence, in a *National Synod*, the *supream Magistrate* may either be present himself, Commissionate one to Represent his Royal person as a Political Overseer of their Managements and Constitutions, which though it does not make to the *To esse* of their Synodical Power or Actings, yet it Contributes to the *To bene esse* of such a *Judicatorie*, and the *Ecclesiastick Acts and Decisions*. But whatever *Objective power* the *Magistrate* hath civil *facra*, it is not privative, or to the detriment of the Church, for Discharging or violent hindring the administration of any of the Ordinances of the LORD, But his power is Cumulative *ad Majus bonum Ecclesiae*, that is, that the Church by his Authority and Assistance, may Lawfully and Constantlie enjoy peace and Truth, Gen: Conf: 2. B: Disc: 72: 73. 84, K, Conf, Aff, 25, Aff, Conf, C. 23, Act Aff 1647.

24. Article, For as good as this Government is, yet it may be *mismanadged* [as many times *Magistracy* hath been, in all the formes and shapes of it, which none will deny to be the Ordinance of GOD] therefore whatever Maladministrations, Mistakes or escapes, may happen by the Governours of the Church, they are not for which to be fixed or fastened upon the Government it self, *Humanum est labi*: Surely a grain of allowance must be given to the *Infirmities* of Men, who while clothed with Flesh and Blood, are not to be expected perfect or infallible, *nemo sine crimini vivit*: And if a candid Impartial Comparison were instituted, betwixt *Presbyterial* and other competitor Governments, it might probably be found to be the less *Criminal*, yea and that which bears the most plain *Superscription and Signature* of GOD, Aff: Conf: 6. Art: 3. & C. 25. Art. 5.

